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6                   UNITED STATES DISTRICT COURT  
7                   WESTERN DISTRICT OF WASHINGTON  
8                   AT TACOMA

9                   UNITED STATES OF AMERICA,

10                  Plaintiff,

11                  v.

12                  JUSTINE STEPHENS,

13                  Defendant.

CASE NO. CR08-5601BHS

ORDER

14                  This matter comes before the Court on Defendant's Justine Stephens' ("Stephens")  
15 motion to terminate supervised release (Dkt. 238). The Court has considered the pleading  
16 filed in support of and in opposition to the motion and hereby denies the motion for the  
17 reasons stated herein.

18                   **I. PROCEDURAL HISTORY**

19                  On April 12, 2010, Stephens was sentenced to three years of supervised release.  
20 *See* Dkt. 170. On September 14, 2011, Stephens filed a motion to terminate the  
21 supervised release. Dkt. 238. On September 21, 2011, the Government responded. Dkt.  
22 239.

23                   **II. DISCUSSION**

24                  The Court may modify or terminate supervised release after the expiration of one  
25 year of supervised release. 18 U.S.C. § 3564. The Court should consider "the factors set  
26 forth in section 3553(a) to the extent they are applicable" and determine "if [the court] is

1 satisfied that such action is warranted by the conduct of the defendant and the interest of  
2 justice. . . ." *Id.*

3 In this case, Stephens has failed to show that the supervised release is either too  
4 harsh or inappropriately tailored. While both the Court and the Government agree that  
5 Stephens has done well since she was sentenced, the Court finds that, at this time,  
6 supervised release is not an unreasonable burden for Stephens. Moreover, supervision  
7 will help ensure Stephens' continued success.

8 Although the Court denies Stephens' motion, it will do so without prejudice, and  
9 the Court will consider a second motion to modify or terminate the sentence upon  
10 successful completion of two years of supervised release.

### 11 III. ORDER

12 Therefore it is hereby **ORDERED** that Stephens' motion to terminate supervised  
13 release (Dkt. 238) is **DENIED**.

14 DATED this 29<sup>th</sup> day of September, 2011.

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BENJAMIN H. SETTLE  
United States District Judge